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AID TO THE
AGED, BLIND
AND DISABLED
(AABD)

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Illinois Department of Public Aid

ASSISTANCE TO THE AGED, BLIND AND DISABLED (AABD)

Individuals in financial need who are 65 or older, or who are any age, but are blind or severely disabled as defined by the Social Security Administration and who have income insufficient to meet their basic maintenance needs may be eligible for a State Supplemental Payment (SSP).

Persons who have applied for the federal Supplemental Security Income (SSI) program through their local social security office and have not yet been notified of their eligibility status also may be eligible for a state grant (Interim Assistance) while eligibility for the federal program is being determined.

HOW TO APPLY

Application for a State Supplemental Payment is made at the office of the county department of public aid serving the area in which the applicant lives; in Cook County the application is made at the district office which serves the ZIP code area where the applicant lives.

A person will be given any help needed to complete the application form. If a person cannot go to the office because of illness or disability, or for some other reason, a caseworker will take the application in the applicant's home.

When a person has a legally appointed guardian, the guardian must file the application. If a person is physically or mentally unable to file an application but has no guardian, the application can be made by a relative or other person who has sufficient knowledge of the applicant's circumstances to furnish the necessary information.

FINANCIAL ELIGIBILITY REQUIREMENTS

Financial Eligibility. A person who does not have enough non-exempt income and/or assets from any source to meet his needs according to the standards of the Department of Public Aid may be eligible for assistance.

Exempt Assets. In determining the exist-

ence and extent of need for a State Supplemental Payment, the following assets are exempt: homestead property; clothing and personal effects; household furnishings; business or farming equipment essential for the production of income; one motor vehicle if necessary for employment, transportation for regular medical treatment, essential for daily activities because of climate, terrain or remoteness, if modified to transport a handicapped person, or the fair market value does not exceed \$4,500; group life insurance held as a condition of employment or provided by an employer; other life insurance when the total face value does not exceed \$1,500 per person; the principal portion of a trust fund when the instrument establishing the trust specifically states the principal cannot be impaired; burial space such as crypt, casket, vault or lot and funds set aside for burial with a value of \$1,500 or less if there is no other form of life insurance; assets necessary for fulfillment of a blind person's approved plan for achieving self-support; and cash or savings accounts with a cash value not exceeding \$1900 for a single person or \$2850 for a client and spouse living together.

Exempt Income. A \$25.00 income exemption is allowed in determining eligibility for SSP.

In addition, for aged or disabled clients, the first \$20 of gross earned income plus one-half of the next \$60 is exempt as are certain expenses of employment in arriving at the amount of non-exempt income available to meet the clients needs.

Blind clients who are employed or self-employed are allowed exempt income amounting to the first \$85 of gross earned income plus one-half of the amount in excess of \$85. Additional amounts of income as may be necessary for fulfillment of a blind client's plan for achieving self-support may be exempt for a period not to exceed 12 months, upon the Department's approval.

NON-FINANCIAL ELIGIBILITY FACTORS

Age. To qualify as aged, a person must be

65 years of age or over. There is no age requirement to qualify as blind or disabled.

Blindness or Disability. Persons applying for SSP because of blindness or disability must be examined by a physician so that the extent of blindness or disability can be determined. This examination is not required if the individual is receiving SSI payments, or primary social security benefits, or has an application for SSI pending determination of eligibility.

IMPORTANT INFORMATION ABOUT YOUR DISABILITY OR BLINDNESS DETERMINATION

If you are receiving benefits from the Department of Public Aid on the basis of your disability or blindness, your eligibility for such benefits may also depend on decisions made by the Social Security Administration (SSA). **YOU SHOULD READ THIS NOTICE CAREFULLY.**

If the SSA determines that you are “not disabled” or “not blind” under one of the programs it administers, such as Social Security benefits or Supplemental Security Income (SSI), the Department of Public Aid will accept that determination. This means that you will also be considered “not disabled” or “not blind” for the programs administered by the Department, including cash assistance and medical assistance.

If the SSA determines that you are “not disabled” or “not blind”, you will be sent a written notice which will also inform you of your right to appeal that decision to the SSA. It is to your benefit to appeal that decision to the SSA if you believe it is wrong. You should do so within 65 days of the date of the notice you receive from the SSA.

If you do appeal the determination to SSA, the Department will continue the assistance you are receiving from the Department through the level of a determination by an Administrative Law Judge. You must provide the Department with verification that you have filed an appeal with the SSA. The sooner you do so, the

sooner your assistance from the Department can be reinstated.

You may wish to have legal representation in you appeal before the SSA. If you do, you should call the following telephone number in your area:

- (A) In Cook County, within Chicago: 663-4190
- (B) In Cook County, outside Chicago:
 - Northern Suburbs 475-3703,
 - Western Suburbs 524-2600,
 - Southern Suburbs 339-5550.
- (C) Outside of Cook County (toll free) 1-800-642-5570.

Citizenship. To be eligible for SSP an individual must be a citizen of the United States by birth or naturalization or an alien who has been legally admitted for permanent residence as an immigrant or under "color of law."

Residence. An applicant for SSP must be a resident of Illinois.

Agreement to Repay Interim Assistance. An agreement to repay Interim Assistance is a non-financial requirement of eligibility if the SSP applicant is also an SSI applicant.

Support from Relatives. A husband or wife of a public aid recipient has a legal responsibility to help support the recipient. This responsibility exists even if they do not live together.

Parents have a legal responsibility to support their children who are under age 18. If the child lives with the parent the support responsibility continues until the child reaches age 21.

Relatives legally responsible to support recipients are required to provide the Department with information about the financial circumstances.

Transfer or Sale of Property. If a person applying for SSP has transferred real or personal property within two years of the application date without receiving fair market value, the applicant will be ineligible for assistance for two years from the date of the transfer, or for as long as the transferred asset would meet the individual's needs, whichever is first, unless he can provide acceptable proof that he did not dispose of the property to qualify for or increase his need for assistance.

If a person receiving assistance sells his non-homestead property without informing the department of public aid, sells it for less than its market value, transfers the deed without having the amount received for the property on the deed, he may be ineligible to receive assistance and the assistance payments may be discontinued. If a person transfers an asset which at the time of the transfer was an exempt asset, the transfer will not affect his eligibility. If a husband and wife are not living together and they equally divide their marital assets, the transfer will not affect eligibility for a grant and/or medical assistance. If an individual transfers interest in homestead property, it will not affect eligibility.

Client Cooperation. Client cooperation in determining initial eligibility and continued eligibility is required. Failure of the client to cooperate will result in the denial or discontinuance of assistance based on the Department's inability to determine eligibility. Periodic redeterminations of eligibility for assistance are a program requirement.

Reporting Change of Circumstances. It is the duty of the client to report any change of circumstances or receipt of income or assets which might affect his assistance. Failure to do so may constitute fraud.

When a person receiving a State Supplemental Payment moves, the new address must be reported to the local office of the Department of Public Aid.

The post office will not forward assistance checks to a new address but will return any undeliverable checks to the State Comptroller's office in Springfield where they will be voided.

Assistance Payments. In determining the amount of State Supplemental Payment, the living expenses of an applicant or a recipient are figured on the basis of allowances established by Department standards less available earned income and/or unearned income available to the person for support.

A monthly assistance payment for living expenses is paid by check to the recipient.

Liens and Estate Claims. The State has a lien on real property owned by recipients of SSP and a claim against the estate of former recipients of SSP and a claim against the estate of former recipients of Assistance to the Aged, Blind, or Disabled and recipients of State Supplemental Payments. Such lien or estate claim will be only in an amount equal to the amount of the assistance furnished to the recipient.

Public Registers. County departments and district offices are required by law to maintain in their offices registers showing the names, addresses, and amount of assistance received during the preceding month by recipients of SSP. By law the contents of Department records pertaining to applicants and recipients may not be disclosed except for the purpose of administering the programs and with client consent.

Right of Appeal. An applicant or recipient may appeal in writing within 60 days any decision of the local office which he thinks is unfair. The local office will provide a form which may be used in making the appeal. Legal fees are not paid by the Department. If a person appeals a proposed reduction or cancellation of assistance and the appeal is filed within the 10-day advance notice period, assistance may be continued during the hearing process.

For complete details, see brochure DPA 377, *The Right to Appeal and to Receive a Fair Hearing*.

Civil Rights. The Illinois Department of Public Aid administers all programs under its jurisdiction in conformance with Title VI of the Civil Rights Act of 1964, and does not discriminate on the basis of race, color, sex, religion, national origin, handicap or political affiliation of any applicant or recipient.

For complete details, see brochure DPA 592, *Public Aid and Civil Rights*.

Right to Apply. Any person who believes he may be eligible for SSP assistance has the right to apply.

OTHER SERVICES

Eligibility for Medical Assistance. Aged, blind, or disabled persons who receive state

supplementation also are eligible for Medical Assistance. Claims will be made against their estates to recover the amount paid for medical services for recipients age 65 or over. However, the claim will be enforced only after the death of the surviving spouse and only when there is no surviving child who is under 21 or who is blind or permanently and totally disabled. For complete details, see brochure DPA 591, *The Medical Assistance Program*.

Funeral and Burial Expenses. Upon the death of a recipient of SSP, if the estate is insufficient to pay the funeral and burial expenses, and legally responsible relatives are unable to meet the costs, the Department may pay the funeral and burial expenses according to Department standards.

Food Stamps. Most persons receiving SSP are eligible to receive food stamps but will have to make application for them at a county or district office of public aid.

ASSIGNMENT OF MEDICAL SUPPORT AND AGREEMENT TO COOPERATE

Illinois law provides that by applying for assistance under the AFDC program, the applicant assigns to the Department of Public Aid his/her rights to medical support and payments for medical care and the rights of his/her children for whom assistance is requested and received. In addition, the applicant agrees as a condition of eligibility to cooperate with the Department in obtaining medical support or payments. If an individual does not cooperate, he/she is ineligible for medical assistance. However, non-cooperation does not affect eligibility for cash assistance, nor the financial or medical eligibility of children, for whom assistance is received.

The Illinois Department of Public Aid does not discriminate in admission to, or treatment or employment in programs or activities in compliance with the Illinois Human Rights Act, the Illinois Constitution, the U.S. Civil Rights Act, Section 504 of the Rehabilitation Act, as amended, and the U.S. Constitution.

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